



R004 PCT/PTO

Page 1 of 2 #4

16 SEP 2005

SFB

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| | | |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/519,517 | Dieter Reichel | CBZ-1274 |

22827
DORITY & MANNING, P.A.
POST OFFICE BOX 1449
GREENVILLE, SC 29602-1449

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| | |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. | |
| PCT/EP03/04633 | |
| I.A. FILING DATE | PRIORITY DATE |
| 05/02/2003 | 07/04/2002 |

CONFIRMATION NO. 2514
371 FORMALITIES LETTER



OC000000016515086

Date Mailed: 07/14/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/23/2004
- Copy of the International Search Report filed on 12/23/2004
- Preliminary Amendments filed on 12/23/2004
- Oath or Declaration filed on 12/23/2004
- U.S. Basic National Fees filed on 12/23/2004
- Priority Documents filed on 12/23/2004

F & M DOCKETING

Action Due: parts
Date Due: 10/14/05
Initials: SFB

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/519,517 | PCT/EP03/04633 | CBZ-1274 |

FORM PCT/DO/EO/905 (371 Formalities Notice)

16 SEP 2005

In re Application of:

DIETER REICHEL

Serial No.: 10/519,517

Filed: DECEMBER 23, 2004

Confirmation No.: 2514

Title: METHOD FOR OPERATING A TRACK FOR A
RAILBORNE VEHICLE, AND CORRESPONDING TRACK

Attention: M. top Missing Parts

Attorney Docket No.: CBZ-1274

Group Art Unit: UNKNOWN

Our Customer ID: 22827

Our Account No.: 04-1403

Commissioner for Patents
U.S. Patent and Trademark Office
Post Office Box 1450
Alexandria, VA 22313-1450

Sir:

The following completes the filing of the above-identified patent application under Rule 52, 53, and/or 85:

- ☐ Rule 53 signed Declaration enclosed.
- ☐ This is a Rule 47 filing per attached Petition.
- ☐ Enclosed: Original signed Declaration with attached specification (including claims) which is a copy of specification/claims originally filed to secure above filing date.
- ☒ Specification originally filed in non-English language; hence verified translation attached of:
- ☒ Abstract ☒ 13 pages of Specification (only spec. & claims) ☐ Drawing Figs.
- ☐ sheet(s) of formal drawings enclosed: size: ☐ A4 ☐ 14" ☐ 8½ by 11
- ☒ Attached is an assignment to MAX BOGL BAUNTERNEHMUNG GmbH & CO. KG.
- ☒ Priority is hereby claimed under rule 55 and 35 U.S.C. 119 based on prior foreign application(s) no(s).
102 30 240.5 and PCT/EP2003/004633, filed in GERMANY and PCT on 4 JULY 2002 and 2 MAY 2003, respectively.
- Certified copy (copies) ☐ attached; ☐ already filed on _____ in U.S. Application, Serial No. _____, filed _____.
- ☐ "Small Entity" status under Rule 27 claimed. ☐ Attached: _____ Verified Statement(s) establishing "small entity."
- ☒ Attached is the request return copy of the PTO Notice under Rule 52, 53, and/or 85.
- ☐ Attached: _____
- ☐ Preliminary Amendment: _____

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED
PER MPEP § 506 AND § 607**

| | | |
|---|----|-----|
| If not earlier paid, add Basic Filing Fee | \$ | .00 |
| If not earlier paid, add Application Search Fee | \$ | .00 |
| If not earlier paid, add Application Examination Fee | \$ | .00 |
| Total Effective Claims ____ - 20 = ____ x \$50.00 | = | \$ |
| Independent Claims ____ - 3 = ____ x \$200.00 | = | \$ |
| If any proper multiple dependent claim (ignore improper) is present, add \$360.00 | \$ | .00 |
| Filing Fee | \$ | .00 |

Since PTO Notice under Rule 52, 53, and/or 85 set an original due date of _____, petition is hereby made for an extension to cover the date this response is filed for which the requisite fee is enclosed (1 month \$120; 2 months \$450; 3 months \$1,020; 4 months \$1,590, 5 months \$2,160)

| | | |
|--|----|-----|
| If this is the <u>first</u> time either signed Declaration filed or filing fee paid, add Surcharge (\$130) | \$ | .00 |
| Subtotal | \$ | .00 |

| | | | |
|--|---|----|-----|
| If "small entity" status box above is X'd, enter half (1/2) of subtotal & subtract | - | \$ | .00 |
| Total | = | \$ | .00 |

| | | |
|---|----|-----|
| If "non-English" box above is X'd, add Rule 17(i) or (k) processing fee \$130.00) | \$ | .00 |
|---|----|-----|

| | | |
|--|----|-------|
| If "assignment" box is X'd, add recording fee (\$40.00). | \$ | 40.00 |
|--|----|-------|

| | | |
|--|----|-----|
| If "Rule 47" box above is X-d, add Petition fee \$130.00 Rule 17(h). | \$ | .00 |
|--|----|-----|

| | | |
|---------------------------|----|-------|
| TOTAL FEE ENCLOSED | \$ | 40.00 |
|---------------------------|----|-------|

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

ADDRESS:

Post Office Box 1449

Greenville, SC 29602

Customer ID No.: 22827

Telephone: 864-271-1592 / Facsimile: 864-233-7342

DORITY & MANNING, ATTORNEYS AT LAW, P.A.

By: STEPHEN E. BONDURA Reg. No. 35,070 Date: 9/14/05Signature: Stephen E. Bondura

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, Mail Stop Missing Parts, Post Office Box 1450, Alexandria, VA 22313-1450, on SEPTEMBER 14, 2005

JACQUELINE M. LEONARD

(Type or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)